(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

MISCELLANEOUS CIVIL APPLICATION NO. 734 OF 2004
AND
MISCELLANEOUS CIVIL APPLICATION NO. 768 OF 2004

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. Atul A. Apte, Advocate for the Applicant in M.C.A. 734 OF 2004 and
Ms. N. Kouthanker, Advocate for the Applicant in M.C.A. No.768 OF 2004

Mr. H. R. Bharne, Government Advocate for the Respondent.

CORAM : B. H. MARLAPALLE &
N. A. BRITTO, JJ.

DATE : 1ST NOVEMBER,2004.

P.C.:-

Heard the learned Counsel for the respective Applicants as well as the learned Government Advocate.

First Appeal No.66 of 1993 has been decided by this Court on 3-8-1996 and hence, these applications for withdrawal of the amount by the claimants.

The learned Government Advocate has filed reply and it has been contended that out of the amount so deposited, the distribution amongst the claimants along with the proportionate accrued interest would be as under:-

a). Shri Gonsalo Dias- Rs.5,58,922/- along with the proportionate accrued interest.

b). Mrs. Maria Andrade -Rs.3,72,614/- along with the proportionate accrued interest.

The balance of Rs.11,34,475/- along with the proportionate accrued interest goes to the Original Applicant, namely the Executive Engineer, Works Division I, P.W.D, Panaji, Goa.

We, therefore, allow these applications and direct as under:-

a). The amount of Rs.5,58,922 along with the proportionate accrued interest be refunded to Shri Gonsalo Dias.

b). The amount of Rs.3,72,614/- along with the proportionate accrued interest to be allowed to be withdrawn by the Applicants in Miscellaneous Civil Application

No. 768 of 2004 and in the proportion of 1/3rd each.

c) The balance of Rs.11,34,475/- along with the proportionate accrued interest be refunded to the Executive Engineer, Works Division I, P.W.D. Panaji, Goa.

B. H. MARLAPALLE, J.

N. A. BRITTO, J.

RD.